UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/783,726	02/14/2001	Mihal Lazaridis	1400-1072 D2	7167

82297   7590   03/16/2011

The Danamraj Law Group, PC/RIM
Attn: Reba Pieczynski
Premier Place, Suite 1450
5910 N. Central Expressway
Dallas, TX 75206

EXAMINER
STRANGE, AARON N

ART UNIT	PAPER NUMBER
2448	

NOTIFICATION DATE	DELIVERY MODE
03/16/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

portfolioprosecution@rim.com
uspto-inbox@danamraj.com

	Application No.	Applicant(s)
	09/783,726	LAZARIDIS ET AL.
Office Action Summary	Examiner	Art Unit	
	AARON STRANGE	2448	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE <u>3</u> MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1) ☒ Responsive to communication(s) filed on *27 May 2010*.
2a) ☐ This action is **FINAL**.   2b) ☒ This action is non-final.
3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4) ☒ Claim(s) *102-109,111-118 and 120-129* is/are pending in the application.
    4a) Of the above claim(s) _____ is/are withdrawn from consideration.
5) ☐ Claim(s) _____ is/are allowed.
6) ☒ Claim(s) *102-109,111-118 and 120-129* is/are rejected.
7) ☐ Claim(s) _____ is/are objected to.
8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9) ☐ The specification is objected to by the Examiner.
10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
    Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
    Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
    a) ☐ All   b) ☐ Some * c) ☐ None of:
        1. ☐ Certified copies of the priority documents have been received.
        2. ☐ Certified copies of the priority documents have been received in Application No. _____.
        3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
    * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08)
    Paper No(s)/Mail Date *See Continuation Sheet*.
4) ☐ Interview Summary (PTO-413)
    Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____ .

Continuation of Attachment(s) 3). Information Disclosure Statement(s) (PTO/SB/08), Paper No(s)/Mail Date
:20100830;20101014;20101119;20101229;20100221.

DETAILED ACTION

1.   A request for continued examination under 37 CFR 1.114, including the fee set

forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this

application is eligible for continued examination under 37 CFR 1.114, and the fee set

forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action

has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on

5/27/2010 has been entered.

Response to Arguments

2.   Applicant's arguments filed 5/27/2010 have been fully considered but they are

not persuasive.

3.   With regard to claim 102, and Applicant's assertion that "AirMobile is inherently

and inescapable incapable of real-time redirections of user data items" (Remarks 15-

18), the Examiner respectfully disagrees. Applicant's arguments rely primarily on the

disclosure of Eggleston (US 5,764,899), which Applicant asserts provides additional

explanation of the AirMobile system (Remarks 16). For the purposes of this response,

this assertion is assumed to be true, and AirMobile and Eggleston will be discussed in

reliance on the assumption that they disclose the same system.

AirMobile clearly discloses a "push" type system for notifying clients of incoming

e-mail messages. AirMobile explicitly recites "messages are 'pushed' put to your

portable PC from the server over the wireless network: you do not have to constantly

call in to check for messages" (p. 31, ¶1) and that upon arrival of a new message,

"AirMobile software will immediately download the message to your laptop" (p. 31, ¶3).

AirMobile clearly distinguishes this "push" model from a conventional "client pull" model,

because AirMobile implements both models (p. 30, ¶6). These portions of AirMobile

make it clear that in an least one embodiment, newly received messages are pushed

out to a client device, without requiring the user to call in and check for messages.

Eggleston discloses three major components of the redirection system, a client

105, a communication server 110 containing a Virtual Session Manager (VSM) and a

host server 115 (fig. 1). Eggleston discloses that the mobile client and the VSM maintain

a <u>sessionless</u> communication path (col. 2, ll. 54-56) and the host system and the VSM

maintain a <u>session-oriented</u> communication path (col. 2, ll. 57-58). This permits the

client and VSM to communicate on an event driven basis without requiring a connection

to be maintained (col. 4, ll. 30-40). In contrast, the VSM and the host server "maintain

the same session ... that the client typically enjoys when connected to the LAN/WAN"

(col. 4, ll. 44-47). Using this architecture, the client can "achieve a <u>virtual</u> session with

the host" (emphasis added) (col. 4, ll. 47-51).

Eggleston does disclose that the Query Manager and VSM, in combination,

query the host for unread messages (col. 5, ll. 53-57; col. 6, ll. 58-65) at predetermined

intervals (col. 8, ll. 3-9). However, at no point does Eggleston disclose clients generating

queries.

4.   With further regard to claim 102, and Applicant's assertion that Eggleston and

AirMobile "requires that a mobile device first establish a virtual session, <u>which can be</u>

<u>random and intermittent</u>, thereby negating any notion of transmitting the messages to

the mobile device in real-time" (emphasis added) and that "absent an active virtual

session, no messages can be requested by or sent to a mobile device" (Remarks 18), it

unclear how Applicant believes Eggleston's use of a virtual session differs from the

claimed invention.

Establishment of the virtual session used by AirMobile and Eggleston is simply

the mechanism by which the VSM becomes aware of the existence of the client and

ensures the client is authorized to receive messages. A virtual session is "active" as

long as the client is available to receive messages (i.e., the client is located in a

coverage area and has its modem powered on)(Eggleston; col. 7, ll. 34-40). The client

need not re-register with the server unless a timeout period has elapsed without any

data exchange (Eggleston; col. 7, ll. 44-58). To prevent this timeout from expiring, the

client periodically sends a "short message" to the VSM to keep the virtual session alive

(Eggleston; col. 7, ll. 50-54).

The virtual connection is only "random and intermittent" to the extent that

coverage of wireless networks and the ability of a user to power a mobile device on and

off are random and intermittent. No language in the present claims precludes re-

establishment of a connection with the redirector by a device, after leaving and re-

entering a wireless network coverage area or the device being powered off and back

on. If Applicant intended to claim a system where the redirector indefinitely forwards

messages to devices, regardless of their availability, the claims should be amended to
require those features

5.   With further regard to claim 102, and Applicant's assertion that "Eggleston logs
off the user and tears down the virtual session so that the costs of communication are
kept to a minimum" (Remarks 19), this argument mischaracterizes the purpose of
tearing down the virtual session. The first two portions of Eggleston cited in support of
this assertion (col. 4, ll. 47-51 and col. 7, ll. 10-10) discuss the cost savings received
from the sessionless data flow provided by the virtual session, and have nothing to do
with tearing down the virtual session.

The third portion of Eggleston cited in support of this assertion (col. 7, ll. 48-58)
does tearing down the virtual session, but it does so in the context of an expiring
timeout value reached when the client is "no longer receiving" due to leaving the
coverage area or being powered off (col. 7, ll. 33-58). The teardown is performed <u>only</u>
when the client fails to send any communication to the VSM before the timeout expires,
not in response to any concern about costs beyond those associated with the "inefficient
use of resources" (col. 7, ll. 33-37). The client automatically sends this "keepalive"
message prior to expiration of the timeout (col. 7, ll. 50-54) to <u>prevent</u> the client from
being logged off.

The fact that Eggleston stops attempting to notify unavailable devices does not
"teach away" from real-time redirection of data items. As long as the client is available,
the virtual session will be active and messages will be forwarded to the client in real-

time. It is obviously impossible to notify devices when they have no signal or are
powered off. Furthermore, no language in the current claims requires the redirector to
forward messages to unavailable devices in addition to available devices. The claims
merely require processing a copy of a single data item and sending that data item to a
mobile device in real time, features which are taught by AirMoibile and Eggleston.

6.   With further regard to claim 102, and Applicant's assertion that "Eggleston
terminates an established session once a user has been logged in long enough to raise
costs to a threshold" (Remarks 20), Eggleston clearly discloses that this is an optional
feature, and that "[i]f a user is privileged, data transfers would still continue despite the
user limit having been exceeded" (col. 14, ll. 53-54).

7.   In summary, one of ordinary skill in the art would have understood both AirMobile
and Eggleston to disclose systems that notify clients of incoming e-mail messages using
"push" type notification that notifies the client without requiring the client to poll for new
messages. The "virtual session" used by AirMobile and Eggleston is different from a
conventional system which establishes a session, polls for new messages, and
terminates the session. The "virtual session" is maintained so long as the mobile device
is available and uses event-based communication to immediately forward new
messages to the mobile device using a push-based notification scheme, without
requiring the client device to poll for messages.

The current claims do not preclude the use of sessions, virtual or otherwise,

between components of the system, and use of the sessions taught by AirMobile and

Eggleston do not prevent the use of push-based notification of new messages, since

both AirMobile and Eggleston use push-based notification schemes.

While Eggleston discloses that the VSM polls the host server for new messages,

Carthy teaches that automatic, fully asynchronous notification of incoming messages

was a well-known and advantageous alternative to polling for incoming messages.

Therefore, the current claims fail to contain any limitations sufficient to distinguish them

from the prior art of record.

Double Patenting

8.   The nonstatutory double patenting rejection is based on a judicially created

doctrine grounded in public policy (a policy reflected in the statute) so as to prevent the

unjustified or improper timewise extension of the "right to exclude" granted by a patent

and to prevent possible harassment by multiple assignees.   A nonstatutory

obviousness-type double patenting rejection is appropriate where the conflicting claims

are not identical, but at least one examined application claim is not patentably distinct

from the reference claim(s) because the examined application claim is either anticipated

by, or would have been obvious over, the reference claim(s). See, e.g., *In re Berg*, 140

F.3d 1428, 46 USPQ2d 1226 (Fed. Cir. 1998); *In re Goodman*, 11 F.3d 1046, 29

USPQ2d 2010 (Fed. Cir. 1993); *In re Longi*, 759 F.2d 887, 225 USPQ 645 (Fed. Cir.

1985); *In re Van Ornum*, 686 F.2d 937, 214 USPQ 761 (CCPA 1982); *In re Vogel*, 422

F.2d 438, 164 USPQ 619 (CCPA 1970); and *In re Thorington*, 418 F.2d 528, 163

USPQ 644 (CCPA 1969).

A timely filed terminal disclaimer in compliance with 37 CFR 1.321(c) or 1.321(d)

may be used to overcome an actual or provisional rejection based on a nonstatutory

double patenting ground provided the conflicting application or patent either is shown to

be commonly owned with this application, or claims an invention made as a result of

activities undertaken within the scope of a joint research agreement.

Effective January 1, 1994, a registered attorney or agent of record may sign a

terminal disclaimer. A terminal disclaimer signed by the assignee must fully comply with

37 CFR 3.73(b).

9.   Claims 102-109, 111-118 and 120-129 are rejected on the ground of

nonstatutory obviousness-type double patenting as being unpatentable over claims 1-50

of U.S. Patent No. 7,386,588. Although the conflicting claims are not identical, they are

not patentably distinct from each other because they recite substantially identical

subject matter. Claims 1-50 of U.S. Patent No. 7,386,588 contain all the features of the

present claims except processing a copy of the data item rather than processing the

item itself. It was well known in the art at the time the invention was made to perform

operations on copies of user data to ensure that the original is retained unchanged.

Claim Rejections - 35 USC § 101

10.   35 U.S.C. 101 reads as follows:

Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

11.   Claims 122-129 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter.

12.   Claim 122 is directed to a "computer-accessible medium", a term not defined by the specification. The broadest reasonable interpretation of a claim drawn to a machine readable medium, or other such variations, covers forms of non-transitory tangible media and transitory propagating signals *per se* in view of the ordinary and customary meaning of computer readable medium. When the broadest reasonable interpretation of a claim covers a signal *per se*, the claim must be rejected under 35 U.S.C. §101 as covering non-statutory subject matter. *See In re Nuijten*, 500 F.3d 1346, 1356-57 (Fed. Cir. 2007) (transitory embodiments are not directed to statutory subject matter).

The Examiner recommends amending claim 122 to add the limitation "non-transitory" to overcome the above rejection.

13.   All claims not individually rejected are rejected by virtue of their dependency from the above claims.

Claim Rejections - 35 USC § 112

14.   The following is a quotation of the second paragraph of 35 U.S.C. 112:

> The specification shall conclude with one or more claims particularly pointing out and distinctly
> claiming the subject matter which the applicant regards as his invention.

15.   Claims 113-118, 120 and 121 are rejected under 35 U.S.C. 112, second

paragraph, as being indefinite for failing to particularly point out and distinctly claim the

subject matter which applicant regards as the invention.

16.   Regarding claim 97, the claim elements "means for processing an automatically

generated notification", "means for processing a copy of the user data item" and "means

for causing to send", are each means (or step) plus function limitations that invoke 35

U.S.C. 112, sixth paragraph. However, the written description fails to disclose the

corresponding structure, material, or acts for each of the claimed functions.

The specification appears to describe each of the functions performed by these

means as being performed by "redirector software 12" (See e.g., pp. 12-15) which is

"operating at the user's PC" (see ¶26 of the specification amendment filed 1/17/2009) or

at the "server 11" (see ¶40 of the specification amendment filed 1/17/2009).

The specification discloses only a "general purpose computer" (the user's PC or

server 11) running a "redirector program", without including a description of the

algorithm that transforms the general purpose computer into a special purpose

computer programmed to perform each of the claimed functions. Applicant must

disclose the algorithm that transforms the general purpose microprocessor to a special

purpose computer programmed to perform the disclosed algorithm that performs the

claimed function. *See Aristocrat Technologies, Inc. v. International Game* Technology,

521 F.3d 1328, 1338 (Fed. Cir. 2008). Applicant may express the algorithm in any

understandable terms including a mathematical formula, in prose, in a flow chart, or in any other manner that provides sufficient structure. *See Finisar Corp. v. The DIRECTV Group Inc.,* 523 F.3d 1323, 1340 (Fed Cir. 2008).

Applicant is required to:

(a) Amend the claim so that the claim limitation will no longer be a means (or step) plus function limitation under 35 U.S.C. 112, sixth paragraph; or

(b) Amend the written description of the specification such that it expressly recites what structure, material, or acts perform the claimed function (i.e., the algorithm that the general purpose computer executes to perform the claimed functions) without introducing any new matter (35 U.S.C. 132(a)) or relying on documents incorporated by reference.

If applicant is of the opinion that the written description of the specification already implicitly or inherently discloses the corresponding structure, material, or acts so that one of ordinary skill in the art would recognize what structure, material, or acts perform the claimed function, applicant is required to clarify the record by either:

(a) Amending the written description of the specification such that it expressly recites the corresponding structure, material, or acts for performing the claimed function (i.e., the algorithm that the general purpose computer executes to perform the claimed functions) and clearly links or associates the structure, material, or acts to the claimed function, without introducing any new matter (35 U.S.C. 132(a)); or

(b) Stating on the record what the corresponding structure, material, or acts, which are implicitly or inherently set forth in the written description of the specification,

perform the claimed function (i.e., identify the algorithm that the general purpose

computer executes to perform the claimed functions). For more information, see 37

CFR 1.75(d) and MPEP §§ 608.01(o) and 2181.

17.   All claims not individually rejected are rejected by virtue of their dependency from

the above claims.

Claim Rejections - 35 USC § 103

18.   The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all

obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set
> forth in section 102 of this title, if the differences between the subject matter sought to be patented and
> the prior art are such that the subject matter as a whole would have been obvious at the time the
> invention was made to a person having ordinary skill in the art to which said subject matter pertains.
> Patentability shall not be negatived by the manner in which the invention was made.

19.   Claims 102-104, 106-113, 115-122 and 124-129 are rejected under 35 U.S.C. §

103(a) as being unpatentable over AirMobile (Software for Lotus cc:Mail Wireless,

Communication Client Guide, Motorola, 1995) and Carthy et al. (MAPI Developers

Forum post "MAPI Notification" April 12, 1996; hereinafter Carthy) and Eggleston et al.

(U.S. Patent No. 5,764,899, hereinafter "Eggleston").

20.   With regard to claim 102, AirMobile discloses a method of pushing user data

items from a messaging host system ("communication server") in real-time delivery to a

wireless mobile data communications device that is associated with a user having a

mailbox at the messaging host system (p. 9, "Communication Server," p. 10, "User

Profile Database," pp. 15-16, wherein mail is received and stored at the communication

server, and the mail account is associated with a mobile device according the device

ID), the method comprising:

receiving a notification at a redirector component indicating receipt of a user data

item by the messaging host system, where the notification is received in response to

receipt of the user data item at the messaging host system (newly received messages

are immediately downloaded when the arrive)(p. 30-31);

processing the user data item at the redirector component to add address

information associated with the wireless mobile data communication device (required for

delivery to the mobile client)(g. 31, ¶1-3);

causing to send the user data item to the wireless mobile data communication

device over a wireless network (messages are pushed to the portable PC)(p. 31),

whereby the user data item is pushed to the wireless mobile data communication device

in real-time (messages are "immediately downloaded when they are received") (p. 30)

While AirMobile discloses the invention substantially as claimed, it fails to

specifically recite 1) that the notification is automatically generated in response to

receipt of the user data item and 2) transmitting a copy of the received electronic

message.

With regard to point (1), AirMobile fails to specifically recite that the notification is

automatically generated in response to receipt of the user data item. AirMobile discloses

a server side push technology (pg 31 ¶ 1-3), where the server learns of incoming

messages and sends them to the client without receiving a request from the client.

While the Examiner believes that the broadest reasonable interpretation of an

"automatically generated notification" received by the redirector component includes a

notification generated responsive to a polling messages received from the redirector

component, using a "push-type" mechanism for notifying the redirector component of a

message received at the messaging host system would have been an obvious

modification to AirMobile at the time of Applicant's invention.

Carthy discloses an e-mail system where the notification of new messages in a

user's mailbox is sent automatically, as opposed to polling, using an extended MAPI

IMAPIadviseSink notification (See the Carthy post describing "full asynchronous"

notification in extended MAPI). Carthy further disclosed that in order to receive these

automatic notifications the system must register with a software interface associated

with the messaging server (i.e. registering with the ImsgStore to receive adviseSinks).

Cathy also disclosed that automatic notification is preferable to polling (See posting by

Stephane Cohen).

This would have been an advantageous addition to the system disclosed by

AirMobile since it would have permitted the redirector to be notified of each incoming

message without requiring the redirector to poll the mailbox of each user, conserving

resources on the redirector since by eliminating polling, which is particularly

advantageous for mailboxes that infrequently receive messages.

Therefore, it would have been obvious to one of ordinary skill in the art at the

time the invention was made to incorporate the automatic notification functionally

disclosed by Carthy within AirMobile's system to reduce the resources needed by the

redirector.

With regard to point (2), AirMobile discloses forwarding messages received at the

messaging server to the wireless device. However, AirMobile does not explicitly state

that the messages forwarded to the wireless mail system are a copy of the original

message.

Eggleston teaches a system for forwarding messages from a LAN-based host

through a wireless host to a mobile client device, wherein the LAN-based host stores

messages, thereby maintaining a replica of the messages, before forwarding them to

the client (col. 4, lines 44-51; col. 12, lines 32-39, 59-62, wherein the messages are

copied and maintained at a host system, and are also sent to target units). This would

have been an advantageous addition to AirMobile in the unlikely event that such a

feature is not already present, since it would have allowed received messages to be

retained on the server to ensure they are not lost and may be accessed from other

locations.

Therefore, it would have been obvious to include the mail replication feature

taught by Eggleston in the mail forwarding system taught by AirMobile and Carthy to

ensure that mail messages are not lost and may be accessed by multiple mobile

devices if desired.

21.   Claims 113 and 122 are rejected under the same rationale as claim 102, since

they recite substantially identical subject matter. Any differences between the claims do

not result in patentably distinct claims and all of the limitations are taught by the above

cited art.

22.   With regard to claim 103, AirMobile disclosed the redirector component is

operating on the messaging host system (pg 9 "communication server" and pg 31 ¶s 1-

3).

23.   With regard to claim 104, AirMobile disclosed the' redirector component is

operating on a host system that is couple to the message host system via the network

(e.g. the Network file server cc:Mail Postoffice works in tandem with the Windows

AirMobile server pg 9).

24.   With regard to claim 106, Eggleston disclosed that messages sent between the

wired and wireless systems can be compressed (col. 11, lines 63-67). Given this

knowledge, it would have been obvious to a person having ordinary skill in the art to

compress the messages, prior to transmission to the gateway, and to decompress the

messages at the mobile device, as suggested by Eggleston, in order to increase

available bandwidth and to provide faster and less expensive communications (see

Eggleston, col. 12, lines 7-9).

25.   With regard to claim 107, AirMobile disclosed the processing step further

comprises encoding the copy of the user data item (e.g. transforming a message into

the required transmission protocol for the wireless network being utilizing prior to

pushing a message to the user) (additionally compressing as set forth with regard to

claim 106 is a form of encoding).

26.   With regard to claim 108, Examiner takes official notice that the Multipurpose

Internet Mail Extensions protocol was widely known and used to communicate email

messages between devices at the time of Applicant's invention. Thus, it would have

been obvious to one of ordinary skill in the art at the time of Applicant's invention to

encode messages using the MIME protocol within AirMobile' s system in order to

communicate messages between devices using a known reliable protocol.

27.   With regard to claim 109, AirMobile disclosed the user data item is an email (pg.

38, "Sending/Transmitting e-mail messages").

28.   With regard to claim 111, AirMobile disclosed the step of causing to send the

copy of the user data item to the wireless mobile data communication device over the

wireless network further comprises causing to send the copy of the user data item via a

wireless gateway disposed between a wide area network and the wireless network (see

pg 9, Figure 1-1, a gateway is required to interface between the networks).

29.   With regard to claim 112, AirMobile disclosed the step of storing the user data

item at the data store associated with the messaging host system (p. 9,

"Communication Server," p. 10, "User Profile Database," pp. 15-16, wherein mail is

received and stored at the communication server, and the mail account is associated

with a mobile device according the device ID).

30.   Claims 113, 115-118, 121, 122, and 124-129 are rejected using a similar

rationale as applied to claims 102-104, 106-109, 111 and 112.

31.   Claims 105, 114 and 123 are rejected under 35 U.S.C. 103(a) as being

unpatentable over AirMobile Server (AirMobile Wireless Software for Lotus cc:Mail,

Communication Server Guide, Motorola, 1995), in view of AirMobile Client (AirMobile

Wireless Software for Lotus cc:Mail, Communication Client Guide, Motorola, 1995), and

Carthy et al. (MAPI Developers Forum post "MAPI Notification" April 12, 1996;

hereinafter Carthy) and Eggleston et al. (U.S. Patent No. 5,764,899, hereinafter

"Eggleston") and further in view of Murota (U.S. Patent No. 6,289,105).

        Note, the AirMobile Server and AirMobile Client guide present different aspects

of the same system, and are therefore are treated as a single system for the purposes

of this rejection. They are hereinafter referred to together as "AirMobile" with specific

citations to the Server • guide as "AirMobileS" and the Client guide as "AirMobileC."

32.   With regard to claim 105, 114 and 123, AirMobileS disclosed sending messages

from the cc:Mail server to the mobile device in a secure fashion (AirMobileS, p. 25,

bullet 1 "secure and authenticated virtual wireless communication channel between your

laptop and your LAN-based cc:Mail server") however, AirMobile does not disclose using

encryption for sending messages in a secure fashion. Nonetheless the use of

encryption to send messages securely was widely known in the art at the time of

Applicant's invention, as evidenced by at least Murota.

        In a similar email system, Murota disclosed encrypting e-mail messages between

a sender and a receiver, wherein a message is encrypted at the sending end, is then

transmitted over the network to the receiving end, and is finally decrypted at the

receiving computer (col. 1, lines 23-48). Murota further disclosed that such an

encryption scheme is advantageous because it prevents leaks of secret information to

outside, non-intended parties (Murota, col. 1, lines 49-53).

        Thus, given the teaching of Murota, it would have been obvious to one of

ordinary skill in the art at the time of Applicant's invention include an encryption function,

as taught by Murota, in conjunction with the redirector component of AirMobile such that

messages sent between the AirMobile server and mobile devices are encrypted, in

order to prevent outside parties from having access to secret or classified messages.

Conclusion

33.   Any inquiry concerning this communication or earlier communications from the

examiner should be directed to AARON STRANGE whose telephone number is

(571)272-3959. The examiner can normally be reached on M-F 8:30-5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Firmin Backer can be reached on 571-272-6703. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the

Patent Application Information Retrieval (PAIR) system. Status information for

published applications may be obtained from either Private PAIR or Public PAIR.

Status information for unpublished applications is available through Private PAIR only.

For more information about the PAIR system, see http://pair-direct.uspto.gov. Should

you have questions on access to the Private PAIR system, contact the Electronic

Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a

USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Aaron Strange/
Primary Examiner, Art Unit 2448